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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/024,923	02/17/1998	DAN KIKINIS	P3295	8936

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EXAMINER

KWOH, JASPER C

ART UNIT PAPER NUMBER

2663

DATE MAILED: 11/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/024,923

Applicant(s)

KIKINIS, DAN

Examiner

Jasper Kwoh

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-13,15 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9-13,15 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1, 3-7, 9-13, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwami et al. in view of Guck.

Regarding claims 1, 7, 13 and 18, Iwami et al. discloses a bridge unit and method comprising: a trunk line port for receiving and placing COST telephone calls (i.e. fig. 1, between 20 and 3, inherently there's a port in order to connected the PSTN network to the server); a data network port and circuitry for placing LAN calls (i.e. fig.1, between 20 and 1, inherently there's a port in order to connect the server to the LAN); conversion between LAN and COST telephone calls (i.e. fig.7, 22, fig. 8, col. 11, ll. 5-15); wherein control routine function enabling 2 people to engage in a live conversation (i.e. fig. 8, col. 11, l. 20 – col. 12, ll. 15). Iwami et al. does not specifically disclose that the LAN network includes the internet. However, Guck teaches that the network could be either intranet or internet (i.e. fig. 1, 40; LAN is an intranet) and Iwami et al. discloses that the communication terminal could be using TCP/IP or UDP/IP (i.e. col. 17, ll. 44-58; voice communication maybe adopted to support these protocols). It would have been obvious to an ordinary person skilled in the art at the time of the invention to interchangeable include the LAN with internet and allow the transmitted voice communication to travel through the internet as taught by Guck with the method and system of Iwami et al. in order to prevent delay in the arrival of the voice packets and

reliable control the start, termination, and so on of the voice communication and communicate with a greater number of possible users.

Regarding claims 3-4 and 9-10, Iwami et al. discloses a lookup table (i.e. col. 17, ll. 3-7) relating COST telephone number to IP addresses (i.e. col. 15, ll. 41-54, the terminal may have a telephone number so the communication may be established and connection to take place). Moreover, it is inherent specific data from the incoming call is coded in a portion of an IP address (i.e. control information is included such as the return number in order for the path to be established).

Regarding claims 5-6 and 11-12, Iwami et al. discloses negotiating with a caller and using IVR (i.e. fig. 5, the flowchart shoes the usage of a voice communication request server) to obtain the desired address or phone number (i.e. fig. 5, 124, using the received request the communication is selected).

Regarding claim 15, Iwami et al. discloses the first port connected to a PSTN (i.e. fig.1, 3, it is inherent that because the public network is connected to a telephone it is connected to a PSTN) and the second connected to a LAN (i.e. fig. 1, 1). Iwami et al. does not specifically disclose that the LAN network includes the internet. However, Guck teaches that the network could be either intranet or internet (i.e. fig. 1, 40; LAN is an intranet) and Iwami et al. discloses that the communication terminal could be using TCP/IP or UDP/IP (i.e. col. 17, ll. 44-58; voice communication maybe adopted to support these protocols). It would have been obvious to an ordinary person skilled in the art at the time of the invention to interchangeable include the LAN with internet and allow the transmitted voice communication to travel through the internet as taught by

Guck with the method and system of Iwami et al. in order to prevent delay in the arrival of the voice packets and reliably control the start, termination, and so on of the voice communication and communicate with a greater number of possible users.

Response to Arguments

3. Applicant's arguments filed 9/26/02 have been fully considered but they are not persuasive.

4. Applicant asserts that Iwami's reference is limited to a LAN and there is no teachings, suggestions, or motivation in the combination to communicate voice packets created in Iwami over the Internet. Examiner respectfully disagrees. The only issue is whether or not, knowing that voice packets in IP format can be placed on a LAN, it would be obvious to an ordinary person skilled in the art at the time of the invention to place that information on the Internet. As stated above, it is desirable to communicate with people that might not be on your LAN. Therefore, because an ordinary person skilled in the art at the time of the invention knows that the LAN is interchangeable with the internet with IP packets as taught by Guck. The combination is proper as described above.

5. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re*

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, an ordinary person skilled in the art will know that the internet and the LAN are interchangeable as taught by Guck. Therefore, An ordinary person skilled in the art at the time of the invention will desire to communicate with someone not on his/her local area network and use the teaching of Guck to communicate with that person. Therefore, the 103 rejection is maintained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasper Kwoh whose telephone number is (703) 305-0101. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (703)308-5340. The fax phone numbers

Art Unit: 2663

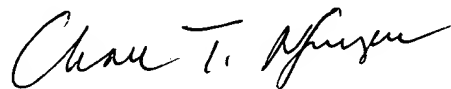
for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.



JK
November 20, 2002

Jasper Kwoh
Examiner
Art Unit 2663



CHAU NGUYEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600